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No. 07-618

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In the
Supreme Court of the United States

GOSS INTERNATIONAL CORP.,

Petitioner,

v.

TOKYO KIKAI SEISAKUSHO, LTD. and TKS (USA), INC.,

Respondents.

Petition for Writ of Certiorari to the United States Court of Appeals for the Eighth Circuit

SUPPLEMENTAL BRIEF FOR PETITIONER

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Petitioner Goss submits this brief pursuant to Rule 15.8, in response to the brief *amicus curiae* filed by the Solicitor General. The Solicitor General agrees that the Eighth Circuit's decision was incorrect and rife with errors. He states (at 10-11) that the court of appeals "erred in concluding" that the clawback action in Japan "would not involve the same issues that were previously resolved" in the U.S. litigation, "erred" in concluding "that the satisfaction of a money judgment divests a district court of jurisdiction to maintain an antisuit injunction," "erred in its comity analysis," and "erroneously assessed the significance of Congress's decision" to preserve Goss's judgment when Congress prospectively repealed the 1916 Act. The Solicitor General agrees that TKS' clawback suit "seeks to relitigate" resolved issues "in order to achieve a different (and directly contrary) result" and that long-established and "controlling" precedent of this Court "make[s] clear that the district court possessed authority to restrain [TKS] from prosecuting another action that sought to nullify or evade its previous judgment," regardless of whether TKS had "satisf[ied] the district court's judgment." (S.G. Br. 12; S.G. Br. in *Pertamina*, No. 07-619, at 10-11.)

The Solicitor General acknowledges that this Court long ago decided that to strip courts of the power to protect their judgments would be "'a great defect in our Federal jurisprudence'" and a "'reproach upon the administration of justice.'" (S.G. Br in *Pertamina* 11, quoting *French*, 89 U.S. at 253). In addition, the Solicitor General recognizes that a "direct conflict" exists between the ruling below and the Second Circuit's "correct" decision in *Pertamina*, and that *Goss*,

with its "straightforward procedural history," would "present a better vehicle than *Pertamina*" to resolve that conflict. (S.G. Br. 17, 22 n.5.)

The Solicitor General also concedes that numerous foreign clawback statutes are now aimed at private judgments and the lower court's decision would leave federal courts powerless to prevent clawback actions. Nonetheless, the Solicitor General ultimately contends that the Court need not review the "quite erroneous" decision below because the issues arise "only infrequently" and the circuit split "is of recent vintage." (*Id.* 17.)

The Solicitor General's conclusion is untenable. The decision below is a dangerous precedent with widespread application, as attested by *amici* filings from States and prominent experts in legal procedure, and letters in support of certiorari from leading business organizations (*see* supplemental appendix, *infra*). The Eighth Circuit's decision satisfies all the traditional criteria for certiorari. It conflicts with this Court's decisions, conflicts with the law of other circuits, invites foreign countries to nullify Congressional policies, contradicts established principles of comity, and raises serious practical deterrents to international investment. And, because the need for foreign antisuit injunctions arises with frequency, the inability of federal courts to issue antisuit injunctions after satisfaction of judgment would impair the judiciary's authority to meaningfully adjudicate disputes involving foreign firms.

1. The Eighth Circuit's decision conflicts with this Court's precedent establishing the federal courts' power to protect their final judgments.

In his brief in *Pertamina* (*Karaha*), the Solicitor General recognizes that the Eighth Circuit's decision conflicts with decisions of this Court which establish that "the district court possessed authority to restrain petitioner from prosecuting another action that sought to nullify or evade its previous judgment." (S.G. Br. 10.) That conflict is worthy of this Court's review. *See* William H. Rehnquist, THE SUPREME COURT 234 (2001) ("[A]n important factor is the perception of one or more justices that the lower court decision may well be . . . an incorrect application of Supreme Court precedent.").

The Eighth and Second Circuits' disagreement may be of "recent vintage," but the precedent of *this* Court that the Eighth Circuit ignored is of long standing. *Dugas*, 300 U.S. at 415-22; *Dietzsch*, 103 U.S. at 497-98 (discussed in S.G. Br. in *Pertamina* 10-13.) Repeatedly, this Court has acted to ensure a uniform approach to jurisdictional issues, granting certiorari to resolve confusion regardless of the amount in dispute. *E.g.*, *Peacock*, 516 U.S. at 349 ($187,000 in dispute); *Kokkonen*, 511 U.S. at 375 (no money; return of a file); *Dugas*, 300 U.S. at 414 ($2,999 at stake); *Local Loan*, 292 U.S. at 234 ($300 wage assignment).

Moreover, it would be extraordinary for this Court to let pass a ruling that, as the Solicitor General concedes, flies in the face of a specific policy of the United States—reflected in an Act of Congress—to

preserve the particular judgment in this case. Just as that very deliberate decision by Congress "strengthens, rather than undermines, the case for an injunction" (S.G. Br. 16), it also strengthens the case for this Court's review.

2. The decision below conflicts with the Second Circuit's decision in *Pertamina*.

The Solicitor General acknowledges (at 14) that the Eighth Circuit's decision may properly be read to hold that a federal court lacks jurisdiction to protect money judgments once they have been satisfied and that this holding conflicts with the Second Circuit's decision in *Pertamina*. He recognizes that the current case is "an apt illustration" of the necessity for federal courts to maintain jurisdiction to protect their judgments, even after satisfaction. (*Id.* 15.) The Solicitor General nevertheless suggests that the Eighth Circuit's holding—while still wrong—might be read to be limited to situations in which "the issues to be litigated, or the remedies that would be sought, in the second proceeding are different from those in the earlier proceeding." (*Id.* 13.)

But as the Solicitor General correctly explains, the Japanese clawback statute renders the final judgment in this case "invalid" (or denies it "any effect"). The statute offers TKS "reimbursement" in Japan of the U.S. judgment and requires Goss to "indemnify" TKS for its litigation expenses. (*Id.* 6.) TKS' clawback action turns on the "existence of a final satisfied judgment" and is "designed to countermand the effect of the United States proceeding." (*Id.* 13, 14.) As the

Solicitor General concludes, the clawback is "an even more direct attack on a final judgment than would be a mere attempt to relitigate." (*Id.* 13.) Likewise, the Eighth Circuit understood that the clawback suit will "effectively nullify" the federal court's judgment. (App. 22a.) None of this is consistent with the suggestion that the issues to be litigated or remedies available were somehow different in the later proceeding.

The Eighth Circuit's opinion confirms that the ruling did not rest on differences between the U.S. and Japanese proceedings. The Eighth Circuit *approved* the district court's finding that the court had "ancillary enforcement jurisdiction to preserve the judgment" by issuing an antisuit injunction. (App. 28a.) The court of appeals carefully noted that its decision turned on the fact that "the jurisdictional circumstances and comity considerations . . . changed" after the district court issued its injunction: the money judgment was satisfied. (*Id.*) The Eighth Circuit explained its decision by reference to that change, not any difference between the actions.

The Second Circuit also understood that its decision in *Pertamina* conflicted with the *Goss* decision. The Second Circuit expressly considered and rejected the Eighth Circuit's reasoning. *Pertamina*, 500 F.3d at 128-29. And it relied upon the exact same language from *Riggs*—"the jurisdiction of a court is not exhausted by rendition of the judgment, but continues until the judgment shall be satisfied"—that the Eighth Circuit cited in reaching the opposite result. *Pertamina* leaves no doubt that the Second Circuit would have decided *Goss* differently. Such confusion on a fundamental issue of federal jurisdiction should

be resolved. And *Goss* presents the "better vehicle" for resolving the circuit split. (S.G. Br. 22 n.5.)

3. The Eighth Circuit's decision poses an immediate threat to the policies reflected in Congress' decision to authorize private enforcement of important federal laws.

Congress authorizes private actions (and treble damages) "precisely for the purpose of encouraging private challenges" to strengthen federal law enforcement. *Reiter v. Sonotone Corp.*, 442 U.S. 330, 344 (1979). Private enforcement also increases the chances that a violation will be detected. *See* II Phillip E. Areeda & Herbert Hovenkamp, *Antitrust Law*, ¶ 303d, (3d ed. 2007) ("public enforcement . . . is supplemented by private enforcement, which increases the likelihood that a violator will be found out, greatly enlarges the penalties, and thereby helps discourage illegal conduct."). As the Solicitor General explains, "Congress's decision to repeal the 1916 Act in a manner that preserved the judgment in this case is *itself* 'United States policy.'" (S.G. Br. 16.)

The Solicitor General correctly recognizes that numerous foreign nations already have clawback statutes aimed at nullifying judgments under U.S. statutes, including the antitrust laws, LIBERTAD, and the Iran and Libya Sanctions Act. (*Id.* 19-20.) The United Kingdom's clawback statute permits the clawback of all multiple damages awarded under *any* federal statute (not just the antitrust laws). *See* PTIA, 1980, c. 11, § 6 (U.K.). Canada's clawback statute allows clawback of *any* federal judgment the

Canadian Attorney General deems adverse to Canada's interests. *See* FEMA, R.S.C., ch. F-29, § 9 (1985), amended by 1996 R.S.C., ch. 28. (Can.).

The Eighth Circuit's decision provides no meaningful basis to distinguish the judgment in this case from any other private money judgment under federal law and thus poses an immediate threat to the finality of federal judgments and the authority of federal courts. First, the decision provides an easy-to-follow blueprint to foreign legislatures, inviting them to pass new clawback statutes aimed at nullifying U.S. judgments they dislike. Awaiting another case perhaps years from now would encourage foreign nations to pass more clawback statutes based upon the Eighth Circuit's roadmap. The Solicitor General has previously acknowledged that providing a roadmap for evasion of U.S. law is bad policy. *See* S.G. Pet. in *United States v. Eurodif S.A.*, Nos. 07-1059, -1078, at 16 (urging certiorari to close a "potentially gaping loophole" that future litigants could exploit).

Second, prior to the Eighth Circuit's decision, practitioners generally understood that federal courts would protect their final money judgments from foreign attack. Thus, defendants had little incentive to test existing foreign clawback statutes. Now, foreign defendants will certainly attempt to evade final money judgments through clawback suits. This will be a particular problem with regard to multiple damage judgments against defendants with operations in Great Britain and with regard to any antitrust judgment.

The *Goss* decision has been closely watched, both here and abroad. The leading antitrust treatise includes an extensive review of the ruling, pointing to it as one of the top three "Highlights of the 2008 Supplement." Areeda & Hovenkamp, *Antitrust Law*, ¶ 275 (2008 Supp.). The ABA's Antitrust Law Section discusses the lower court's decision in its newly published update. ABA Section of Antitrust Law, *2007 Annual Review of Antitrust Law Developments*, at 297-98 (2008). And, the case has received international attention. *E.g.*, *After Judgment Satisfied, Circuit Court Clears Impediment to Japanese Clawback Suit*, WTO Reporter (Sept. 4, 2007). Given widespread knowledge of this decision, practitioners across the Nation must advise foreign clients about the possibility of clawback relief from final judgments. And, foreign legislatures will exploit this gaping loophole in U.S. law.

The issue of whether federal courts must permit foreign lawsuits to impair federal judgments is a recurring one. Contrary to the Solicitor General's suggestion (at 17), federal courts frequently issue foreign antisuit injunctions, granting at least 14 since just 2005. *E.g.*, *Pertamina*, 500 F.3d at 119-30, *Int'l Equity Invs.*, 246 F. App'x at 80; *Ibeto Petrochemical Indus. Ltd. v. M/T Beffen*, 475 F.3d 56, 64-65 (2d Cir. 2007); *E. & J. Gallo*, 446 F.3d at 989-95; *Triton Container*, 440 F.3d at 1137-38; *Software AG, Inc. v. Consist Software Solutions, Inc.*, No. 08 Civ. 389, 2008 WL 563449, at *20-25 (S.D.N.Y. Feb. 21, 2008); *Aprimo, Inc. v. Executive Computing Pty Ltd.*, No. 1:07-cv-1419, 2007 WL 4215987, at *1-3 (S.D. Ind. Nov. 21, 2007); *MasterCard Int'l Inc. v. Fed'n*

Internationale de Football Ass'n, No. 06 Civ 3036, 2007 WL 631312, at *6-10 (S.D.N.Y. Feb. 28, 2007); *Storm LLC v. Telenor Mobile Commc'ns AS*, No. 06 Civ. 13157, 2006 WL 3735657, at *5 (S.D.N.Y. Dec. 15, 2006); *Suchodolski Assocs., Inc. v. Cardell Fin. Corp.*, Nos. 03 Civ. 4148(WHP), 04 Civ. 5732(WHP), 2006 WL 3327625, at *2-4 (S.D.N.Y. Nov. 16, 2006); *Affymax, Inc. v. Johnson & Johnson*, 420 F. Supp. 2d 876, 883-85 (N.D. Ill. 2006); *Suchodolski Assocs.*, 2006 WL 10886, at *2-3 (S.D.N.Y. Jan. 3, 2006) (first of two antisuit injunctions); *SG Avipro*, 2005 WL 1353955, at *2-3; *Zen-Noh*, 373 F. Supp. 2d at 648-53. At least four of these recent decisions—*Pertamina*, *Triton*, *MasterCard*, and *Zen-Noh*—involve the protection of a final federal judgment. The *Goss* decision creates confusion and inconsistency on an important and recurring issue where federal courts previously understood they had jurisdiction to protect their final judgments.

4. The Eighth Circuit's decision conflicts with this Court's and appellate courts' decisions on comity.

This Court has understood international comity to require "respect for the sovereignty of foreign nations on their own territory." *W.S. Kirkpatrick & Co. v. Envtl. Tectonics Corp.*, 493 U.S. 400, 408 (1990); *see Hartford Fire*, 509 U.S. at 798-99 (comity cannot override matters of domestic concern). As Chief Justice Marshall explained long ago, "the jurisdiction of the nation within its own territory is necessarily exclusive and absolute." *The Schooner Exchange v.*

McFaddon, 11 U.S. (7 Cranch) 116, 136 (1812). Thus, just as a person who "commits a crime in a foreign country . . . cannot complain if required to submit to such modes of trial and to such punishment as the laws of that country may prescribe for its own people," a foreign firm like TKS cannot evade the sanction for violating a U.S. statute within the United States. *Neely v. Henkel*, 180 U.S. 109, 123 (1901). The Eighth Circuit ignored this Court's teaching.

Even the Japanese Government has argued this principle to the Court:

> At the basis of international law lies the notion that a state occupies a definite part of the surface of the earth, within which it normally exercises, subject to the limitations imposed by international law, jurisdiction over persons and things to the exclusion of the jurisdiction of other states.

Amicus Br. of the Gov't of Japan in *Empagran*, No. 03-724, at 6 (quoting J.L. Brierly, *The Law of Nations* at 162 (6th ed. 1963)). The Japanese Government's position is especially noteworthy because Japan initiated the current dispute when it passed a clawback statute to nullify the judgment here. The Japanese Government has also been deeply involved at all levels of this case. It appeared *amicus curiae* in the district court to oppose the antisuit injunction, in the appellate court to advocate overturning the underlying judgment and again to urge reversal of the district court's issuance of an antisuit injunction, and even before this Court to urge certiorari and reversal of the underlying judgment. Allowing Japan to successfully facilitate its nationals' nullification of

final judgments undermines federal judicial authority and sends a dangerous message to U.S. trading partners.

The Eighth Circuit's decision turns comity on its head. Other appellate courts have uniformly understood that once a court reaches final judgment, comity plays a diminished role in the decision to issue a foreign antisuit injunction to protect that judgment.[1] The Eighth Circuit, in contrast, rather than giving great weight to a final judgment finding a violation of law within the United States, held that once the case reached its conclusion "there is no longer an outstanding judgment to protect." (App. 28a.) This is particularly perverse because, as the Solicitor General explained, the clawback statute was "specifically designed to overturn a final judgment entered by a court that clearly possessed jurisdiction" and, thus, "is itself in considerable tension with general notions of international comity." (S.G. Br. 16.) This Court should resolve the circuit conflict by reaffirming that a final judgment is entitled to more—not less—protection than a concurrent lawsuit.

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[1] *E.g.*, *Pertamina*, 500 F.3d at 120; *Paramedics*, 369 F.3d at 655; *Mutual Serv. Ins. Co. v. Frit Indus., Inc.*, 358 F.3d 1312, 1324-25 (11th Cir. 2004); *Karaha*, 335 F.3d 357, 372 n.59 (5th Cir. 2003); *Silva Run*, 2002 WL 31907194, at *1; *Farrell Lines, Inc. v. Columbus Cello-Poly Corp.*, 32 F. Supp. 2d 118, 131 (S.D.N.Y. 1997), *aff'd sub nom, Farrell Lines Inc. v. Ceres Terminals Inc.*, 161 F.3d 115 (2d Cir. 1998); *Allendale*, 10 F.3d at 433; *Gau Shan*, 956 F.2d at 1352; *Laker Airways*, 731 F.2d at 928 n.53.

5. The Eighth Circuit's decision is of great practical importance to American industry.

The possibility of foreign clawback suits chills American investment abroad. American businesses with foreign affiliates or investments are exposed to foreign clawback actions. American executives must now weigh this risk before expanding operations or investing in a foreign country.

As explained by Governor John Engler in a letter to the Solicitor General on behalf of the National Association of Manufacturers ("NAM"), the lower court's decision "jeopardize[s] investments that U.S. companies make abroad[,] . . . create[s] the potential for instability in our rules-based trading system and undermin[es] progress toward an open investment climate in markets around the world." (Supp. App. 2a.) Similarly, the Committee to Support U.S. Trade Laws ("CSUSTL") warned the Solicitor General on behalf of 99 of its member organizations (including U.S. businesses and labor unions) that the Eighth Circuit's decision "open[s] the door to further attacks from foreign governments on important but internationally unpopular aspects of our judicial system." (*Id.* 6a, 8a-11a.)

And, as both NAM and CUSUSTL also explain, the mere possibility of a clawback suit creates an unequal playing field in which foreign businesses do not have the same incentive to obey U.S. law as domestic companies. (*See also Amici* States' Br. 8.) If the Eighth Circuit's decision is allowed to stand, TKS will nullify a $40 million final judgment of the federal courts, based on TKS' intentional violation of U.S. law

that cost hundreds of U.S. manufacturing jobs. The example of TKS' successful evasion of federal law will certainly be noted by other foreign firms doing business in this country.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

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JUNE 2008

APPENDIX

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John Engler

President and CEO

May 5, 2008

Via Messenger

The Honorable Paul D. Clement
Solicitor General
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Washington, DC 20530-0001

Re: *Goss International Corp. v. Tokyo Kikai Seisakusho, Ltd., et al.* (Case No. 07-618)

Dear Mr. Clement:

On behalf of the National Association of Manufacturers (NAM), I am writing regarding the Supreme Court's request for the views of the Solicitor General concerning the certiorari petition in Goss International Corp. v. Tokyo Kikai Seisakusho, Ltd. (No. 07-618). This case has far-reaching implications for U.S. businesses operating at home and abroad.

The case involves a United States (U.S.) manufacturer that won a jury verdict in federal court against a Japanese competitor for violations of antidumping law. The verdict was upheld on appeal and the judgment was paid. That judgment is now being attacked through a retaliatory Japanese clawback statute, which I understand declares the U.S. judgment null and void and allows the losing defendant to sue in Japan to recover the full amount from the U.S. company or its wholly-owned Japanese subsidiary.

This is not an isolated issue. It involves the fundamental question of whether a federal court can protect its own final judgment against foreign actions that undercut legal claims that have been properly adjudicated and paid. Refusing to recognize such jurisdiction would jeopardize investments that U.S. companies make abroad.

The NAM strongly supports an open investment climate that enables U.S. companies to be internationally competitive. The NAM Board of Directors recently reiterated its support for reducing foreign barriers to U.S. investment and exports by approving a new policy that recognizes the importance of "basic principles of equitable treatment," including national treatment and most-favored-nation treatment for foreign investment. However, clawback statutes appear to contradict this policy by creating the potential for instability in our rules-based trading system and undermining progress toward an open investment climate in markets around the world.

U.S. companies seek a level playing field to compete on fair and nondiscriminatory terms in the global

market. Due to the potentially broad implications of this case on the integrity of our rules-based trading system and the importance of open investment, we urge your office to argue that the Supreme Court grant Goss' petition for Supreme Court review. Thank you for your consideration.

Sincerely,

/s/ John Engler

John Engler

JE/qr

cc: Thomas Hungar, Esq.

Toby Heytens, Esq.

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May 6, 2008

The Honorable Paul D. Clement
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Re: *Goss International Corp. v. Tokyo Kikai Seisakusho, Ltd., et al* (Case No. 07-618)

Dear Solicitor General Clement:

On behalf of the Committee to Support U.S. Trade Laws ("CSUSTL"), I am writing regarding the Supreme Court's request for the views of the Solicitor General concerning the certiorari petition in *Goss International Corp. v. Tokyo Kikai Seisakusho, Ltd.* (No. 07-618). CSUSTL's members include manufacturers, food producers, trade associations, labor unions and workers committed to preserving the integrity of U.S. trade laws. Our membership list is attached. We urge you to advise the Supreme Court to grant Goss' petition for Supreme Court review.

The case at issue involves a Japanese company, TKS, found by U.S. courts to have intentionally and illegally used predatory dumping with the express intent of harming the U.S. large newspaper press industry, including U.S. manufacturer Goss International. The verdict in favor of Goss was upheld on appeal and the judgment was paid. In a separate investigation, the Department of Commerce found that TKS committed fraud by submitting false and incomplete information and termed TKS' behavior "a uniquely egregious display of misconduct by a respondent in an antidumping proceeding."

Goss' federal court judgment is now being attacked by the Japanese government, which passed a retaliatory clawback statute. The statute declares the U.S. judgment null and void and allows TKS to recover the full amount of the judgment from Goss or its wholly-owned Japanese subsidiary.

The fundamental question in this case involves whether a federal court can defend its own final judgment against foreign actions that undercut legal claims that have been properly adjudicated and paid. Refusing to recognize such jurisdiction would undermine our rules-based international trading system and undermine the integrity of U.S. trade laws.

CSUSTL is committed to maintaining U.S. trade remedy laws as strong and viable remedial tools to address predatory and injurious dumping. When a foreign company does business in the United States, it must be subject to the same rules as a U.S. company, and it should not be allowed to avoid the consequences for violations of U.S. law by seeking retalia-

tory action in its home country. In this instance, Goss and its workers were injured by illegal trade practices, resulting in significant economic damage to Goss and the loss of many high paying, high skilled jobs in the United States. Goss followed the rules, using our trade laws to obtain relief and proving its case in court. In contrast, the Japanese producer TKS blatantly violated U.S. law and lied to the Department of Commerce to hide its actions and avoid paying duties. It did not like the result of the litigation, so it sought protection from the Japanese government in the form of a clawback statute to escape the consequences of its actions.

Goss International seeks a level playing field to compete on fair and nondiscriminatory terms in the global market. If TKS is allowed to clawback the damages that were legitimately awarded by a federal court, it would result in additional harm to Goss and its Japanese affiliate and unjustly reward TKS for its fraudulent activity. Such an outcome would undermine our rules-based trading system, represent a setback for U.S. trade remedy laws, and open the door to further attacks from foreign governments on important but internationally unpopular aspects of our judicial system.

For these reasons, we urge your office to advise the Supreme Court to grant Goss' petition for Supreme Court review. Thank you for your consideration.

Very truly yours,

/s/ David A. Hartquist
David A. Hartquist
Executive Director

cc: Thomas Hungar, Esq.
Toby Heytens, Esq.

The Committee to Support US Trade Laws (CSUSTL) and the following member organizations endorse the positions set forth in the attached document:

Advanced Micro Devices, Inc.
AFL-CIO
Allied Tube & Conduit
Amalgamated Sugar Company
American Coke & Coal Chemicals Institute
American Corn Growers Association
American Fiber Manufacturers Assn.
American Foundry Society
American Furniture Manufacturers Committee for Legal Trade
American Iron and Steel Institute
American Maritime Officers
American Textile Manufacturers Institute
American Yarn Spinners Association
Ameristeel Bright Bar
AMT-Association for Manufacturing Technology
Anvil International
Associated Industries of Massachusetts
Automotive Aftermarket Industry Association
Carmeuse Lime & Stone
Carpenter Technology Corporation
California Fresh Garlic Producers Association
California Cut Flower Commission
Candle-Lite Division of Lancaster Colony Corp.
Chicago Fire Brick Division of Allied Mineral Products, Inc.
China Currency Coalition
Cleveland-Cliffs, Inc.
Coalition for Fair Lumber Imports

Cold Finished Steel Bar Institute
Committee on Pipe & Tube Imports
Communications Workers of America
Copper & Brass Fabricators Council
Corey Steel Company
Crawfish Processors' Alliance
Dakota Resource Council
Fair Atlantic Salmon Trade
Falcon Foundry
Fleming, Chuck F. (North Dakota Agriculture Committee)
Floral Trade Council
Florida Farmers, Inc.
Florida Fruit & Vegetable Association
Florida Tomato Exchange
Flower Growers of Puget Sound
FMC Corporation
Forging Industry Association
Goodrich Corporation
Independent Cattlemen of Texas
Industrial Heating Equipment Association
Industrial Packaging Alliance of NAS
Int'l Brotherhood of Electrical Workers
JIT Terminal, Inc.
Johnson, Roger (North Dakota Agriculture Committee)
Kansas Cattlemen Association
Kuster, Louis (Farmer)
Lake Carriers' Association
Libbey, Inc.
LMP Steel & Wire Company
Lumi-lite Candle Co., Inc.
Manufacturers for Fair Trade
Micron

Milwaukee Wire
Missouri Stockgrowers' Association
Montana Cattlemen's Association
Municipal Castings Fair Trade Council
National Candle Association
National Cotton Council
National Farmers Organization
National Farmers Union
National Lime Association
National Textile Association
Nelsen Steel Company LP
Nevada Livestock Association
NewPage Corporation
New Process Steel
North Dakota Farmers for Profitable Agriculture
Nucor Corporation
PMC Specialties Group, Inc.
Polyethylene Retail Carrier Bag Committee
R-CALF United Stockgrowers of America
Safelite Glass Corp.
South Dakota Stockgrowers' Association
Southern Shrimp Alliance
Southern Tier Cement Committee
Soybean Producers of America
Specialty Steel Industry of North America
Steel Manufacturers Association
Stupp Bros. Bridge & Iron Company
Sunblest Mgmt. LLC
The Timken Company
Thoeny Farms, Inc.
Thompson Steel Company, Inc.
United Steelworkers
U.S. Beekeepers
U.S. Business & Industry Council

U.S. Durum Growers Association
Vaughn-Bassett Furniture Company
Village Farms
Ward Manufacturing, Inc.
Western Organization Resource Council
Wisconsin Paper Council